

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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SHAMROCK TECHNOLOGIES, INC.,

Plaintiff,

vs.

REACT-NTI, LLC,

Defendant.

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) **Court File No. 07-CV-3114 (JSR)**  
) **ECF CASE**  
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)  
) **NOTICE OF REMOVAL**  
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PLEASE TAKE NOTICE that, pursuant to 28 U.S.C. § 1441, Defendant React-NTI, LLC removes to this Court the state-court action described in Paragraph 1 below.

**THE REMOVED CASE**

1. The removed case is a civil action filed in state court on March 22, 2007, and styled as *Shamrock Technologies, Inc. v. React-NTI, LLC* in the Supreme Court of the State of New York, County of New York, Index No. 07/600933. The Summons and Complaint were served on Defendants on or about March 22, 2007.

**PAPERS FROM REMOVED ACTION**

2. As required by 28 U.S.C. § 1446(a), attached as Exhibit A are copies of all process, pleadings, and orders served upon Defendants in the removed case.

**THE REMOVAL IS TIMELY**

3. Defendants are informed and believe that the first date upon which any removing defendant received a copy of the Complaint in the removed case was March 22, 2007. This notice of removal is filed within thirty days of that service and, therefore, is timely under 28 U.S.C. § 1446(b).

**THE VENUE REQUIREMENT IS MET**

4. Venue of this removal is proper under 28 U.S.C. § 1441(a) because this Court is the United States District Court for the district and division corresponding to the place where the state-court action was pending.

**DIVERSITY OF CITIZENSHIP EXISTS**

5. This is a civil action that falls within the Court's original jurisdiction under 28 U.S.C. § 1332 (diversity of citizenship) and is one that may be removed to this Court based on diversity of citizenship under 28 U.S.C. §§ 1441 and 1446.

6. As set forth in Paragraph 1 of the Complaint, Plaintiff Shamrock Technologies, Inc., is a New York corporation with its principal place of business in New Jersey.

7. Defendant React-NTI, LLC is a Delaware corporation with its principle place of business in Minnesota.

**THE AMOUNT-IN-CONTROVERSY  
REQUIREMENT IS SATISFIED**

8. The monetary value of the amount in controversy exceeds \$75,000, exclusive of interests and costs.

9. Plaintiff seeks not less than \$314,508.50 in compensatory damages for its First and Second Causes of Action.

10. Plaintiff seeks not less than \$303,100.00 in compensatory damages for its Fifth Cause of Action.

11. Thus, the state court action may be removed to this Court by Defendant in accordance with the provisions of 28 U.S.C. § 1441(a) because (i) this action is a civil action pending within the jurisdiction of the United States District Court for the Southern District of New York; (ii) this action is between citizens of different states; and (iii) the amount in controversy exceeds \$75,000, exclusive of interest and costs.

**FILING OF REMOVAL PAPERS**

12. Pursuant to 28 U.S.C. § 1446(d), Defendant shall serve written notice of the removal of this action on plaintiff's counsel, and a Notice of Filing of Notice of Removal will be filed with the Supreme Court of the State of New York, County of New York. A true and correct copy of this Notice is attached as Exhibit B.

**WHEREFORE**, Defendant hereby removes the above-captioned action from the Supreme Court of the State of New York, County of New York, and requests that further proceedings be conducted in this Court as provided by law.

Date: April 18, 2007

**LAW OFFICES OF IRA DANIEL TOKAYER,  
ESQ.**

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